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6 Counsel for Defendant/Appellant Larry McDaniel

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA,

10 Plaintiff/Appellee,

11 v.

12 LARRY MCDANIEL, et. al.,

13 Defendants/Appellants.

Case No. 2:17-cr-00110-APG-DJA

CA No. 24-1824

16 UNOPPOSED MOTION FOR A CLEAN DOCKET SHEET

1 COMES NOW appointed CJA counsel for Defendant/Appellant Larry McDaniel,
2 Jason F. Carr, Esq., hereby files this Motion to supply the undersigned counsel, and
3 counsel for the government and codefendants, with an unredacted, clean, docket sheet
4 that provides information on docket sheet numbers that are now hidden because the
5 entries contained therein are under seal or are otherwise confidential.

6 On April 16, 2024, this Court appointed the undersigned counsel to represent Mr.
7 McDaniel. (*See* ECF No. 488.) Since that appointment, counsel has litigated issues
8 involved in this appeal including forfeiture issues and an unsuccessful effort to
9 convince this Court and the United States Court of Appeals for the Ninth Circuit to
10 afford Mr. McDaniel bail pending appeal. (*See, e.g.*, ECF No. 530 (Order denying
11 McDaniel's bail motion).)

12 In engaging in that litigation, and ordering transcripts for the appeal, it became
13 apparent the global docket sheet in this matter, *i.e.*, the docket sheet applicable to all
14 three defendants, contains numerous missing entries. A non-exhaustive list of missing
15 entries includes docket numbers 201, 211, 229-29, 263, 266-69, 291, 354, 402, 409, 463,
16 478-79, and 511.

17 After conferring with counsel for the other codefendants, a consensus was
18 reached that it is necessary to ascertain what the missing entries refer to so that
19 pleadings or documents that are necessary for the appeal may be acquired, reviewed,
20 and submitted to the Ninth Circuit.

22 Counsel has spoken with counsel for the United States, AUSA Adam Flake, the
23 current head of the appellate unit. That party does not object to this Motion provided
24 counsel keeps the docket sheet confidential and does not seek to unseal any of the
25 materials currently under seal without further consultation with the government.
26 Further, appellate counsel for the government should also receive a copy of the clean
27 docket sheets.

For all of these reasons, the undersigned counsel respectfully requests a copy of the unredacted docket sheet for this matter. Counsel will provide that docket sheet to only appointed counsel for codefendants Hurbace and Whitmore and government counsel.

Dated this 1st Day of October, 2024.

Respectfully submitted

HOFLAND AND TOMSCECK

/s/ Jason F. Carr

JASON F. CARR, ESQ.

IT IS SO ORDERED:

Dated: October 2, 2024

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE